



February 11, 2004

Walter M. Foster, Chairman  
Board of Selectmen  
Town of Acton  
472 Main Street  
Acton, MA 01720

Dear Mr. Foster and Members of the Board:

I am writing on behalf of the Minuteman Regional School Committee and school district administration in an effort to inform you and the members of the Board of Selectmen about two pieces of legislation (Senate #262 and Senate #270) that will be a financial benefit to our district towns and help Minuteman Regional High School with student enrollment.

The Minuteman Regional School Committee has unanimously voted to support the enclosed legislation. Both pieces of legislation were filed as bills for the current session of the Legislature, due to conclude during the summer months of 2004, and a public hearing was held back on October 14, 2003. I was directed to reach out to each Board of Selectmen in our sixteen-town district and ask for their formal endorsement in building support for their passage.

To that end, I request that you review this material and endorse the enclosed draft motion of support and then forward a letter to your town's legislators indicating that support. At your pleasure, we would be able to attend an upcoming meeting to present details of the bills, answer any questions and ask for that formal support.

The legislation was filed by ten district legislators with the lead Senate sponsor being Senator Robert Havern and the lead House sponsor being Representative Jay Kaufman. The other signature sponsors are Senator Susan Fargo, Senator Pam Resor, and Senator Steven Tolman, Representative Cory Atkins, Representative James Marzilli, Representative Anne Paulsen, Representative Susan Pope and Representative Thomas Stanley.

**Minuteman Regional High School**

▼ 758 Marrett Road ▼ Lexington, MA 02421-7313 ▼ tel: 781-861-6500 ▼ fax: 781-863-1747 ▼ TDD: ext.275 ▼ [www.minuteman.org](http://www.minuteman.org)

Quality education for Acton, Arlington, Belmont, Bolton, Boxborough, Carlisle, Concord, Dover, Lancaster, Lexington, Lincoln, Needham, Stow, Sudbury, Wayland, and Weston.

S270 would simply allow non-district 9<sup>th</sup> grade students access to vocational technical programs approved by the Department of Education under MGL Chapter 74 and require the sending community to pay an annually adjusted Department of Education-set tuition fee. S262 sets the tuition at a cap of 150% of the statewide average for vocational foundation spending. The 150% cap is actually a reduction in nonresident tuition over last year. Our concern in seeking a legislative solution is that the Department of Education has announced its intention to again lower the tuition cap in FY06 to 125%. This year's Chapter 74 per pupil tuition cap for nonresident students at Minuteman is \$13,775 down from \$16,800 last year.

This is substantially different from School Choice in that the state-set cap for Choice is \$5,000 per student and can only change by an act of the Legislature. The Chapter 74 rate is significantly higher and closer to Minuteman's actual per pupil cost. In short, with Minuteman's elimination of Choice and the Chapter 74 tuition rate at \$13,775 the necessity for our in-district communities to pay a subsidy for non-district students ceases and Minuteman can remain an attractive option for neighboring communities who have been sending Choice students here for the past ten years.

Chapter 74 already does not permit competition between neighboring vocational schools because a student can only enroll in a Chapter 74 program not offered in his/her sending community or district. This is a distinct advantage for Minuteman in that we have a host of science and high tech programs (biotechnology, environmental technology, robotics, etc.) and even some trade programs (HVAC, landscape management, etc.) not offered in any other area school systems. This legislation and Chapter 74 in general are substantially different from School Choice in that a Choice student would have access to any vocational program regardless of the status of the sending community's offerings. We do not want to change this element of Chapter 74.

The only change that we are proposing is that non-district 9<sup>th</sup> grade students be allowed access to Chapter 74 approved vocational technical programs not available in their local school or district and that the tuition paid by non-member communities be set at 150% of the statewide vocational foundation average. The Department of Education would retain authority of which programs are Chapter 74 eligible and would remain the governing authority over the annual tuition adjustments.

The passage of these bills are critically important to the fiscal health of our vocational school district and all vocational schools that enroll a fair number of nonresident students. Your endorsement of S262 and S270 would be much appreciated as we work with other vocational school districts, professional associations, parent groups and legislators in moving this issue forward through the Legislature.

It is important to note that the Department of Education has the authority to make these changes as a matter of policy. While seeking a legislative permanent solution is preferable, your Board's support could also include asking your legislators to contact the Commissioner of Education and insist that he address the issue as a matter of Department policy. Fairness must prevail in both allowing student access to a vocational education of choice and in the vocational schools right to charge a fair and reasonable tuition that does not burden local district taxpayers.

Time is not on our side so we respectfully ask for your support and, in turn, your communication of that support to your legislators in the coming few weeks.

We would welcome the opportunity to have Charles Olmstead, Acton Member to the Minuteman Regional School Committee, Superintendent Ronald Fitzgerald and/or myself speak with the Board about this legislation and Minuteman in general. If you have a question or comment or would like us to appear before your Board, please contact me directly at 781-861-6500 x326 or via email at [tmarkham@minuteman.org](mailto:tmarkham@minuteman.org).

Thank you for your continued interest and support of Minuteman Regional High School.

Sincerely yours,



Thomas F. Markham, III  
Director of Community Relations & Development

c: Charles Olmstead, Acton Member, Minuteman Regional School Committee

**SUGGESTED MOTION**  
REGARDING BOARD OF SELECTMEN ENDORSEMENT OF

**SENATE BILL 262**  
**“AN ACT RELATIVE TO TUITION FOR NONRESIDENT**  
**VOCATIONAL STUDENTS”**

**AND**

**SENATE BILL 270**  
**“AN ACT PROVIDING FOR EXPANDED ACCESS**  
**TO VOCATIONAL EDUCATION”**

The Board of Selectmen for the Town of Acton hereby endorses S262, “An Act Relative to Tuition for Nonresident Vocational Students” and S270, “An Act Providing for Expanded Access to Vocational Education” and requests that the State Legislature and the Governor promptly support the bill and secure its passage on or before July 1, 2004.

# SENATE, NO. 262

By Mr. Havern, a petition (accompanied by bill, Senate, No.262) of Robert A. Havern for legislation relative to tuition for non-resident vocational students. Education, Arts and Humanities

## The Commonwealth of Massachusetts



In the Year Two Thousand and Three.

### AN ACT RELATIVE TO TUITION FOR NON-RESIDENT VOCATIONAL STUDENTS .

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. The last sentence of the first paragraph of Section 7C of Chapter 74 of the General Laws, as appearing in the 2000 Official Edition, is hereby amended by inserting after the word "program" the following words: -

and further provided that the commissioner under the state board will approve tuition fees based on the expenditure per pupil of receiving schools but not to exceed 150% of the statewide average Foundation Budget for vocational students except in the cases of students receiving service under an individualized educational plan or in higher cost agricultural programs involving animal care and other unusual expenses. In the cases of service under individual education plans, the receiving schools may assess an additional average cost differential for such service equal to what they assess for such service to residents students or to actual documented extra costs whichever is higher. In the case of higher cost agricultural programs, the commissioner will consider documented extra cost proposals before establishing a total tuition fee.

# SENATE, NO. 270

By Mr. Havern, a petition (accompanied by bill, Senate, No.270) of Robert A. Havern, Jay R. Kaufman, Susan W. Pope and Thomas M. Stanley for legislation to expand the accessibility into vocational schools. Education, Arts and Humanities

## The Commonwealth of Massachusetts



In the Year Two Thousand and Three.

### PROVIDING FOR EXPANDED ACCESS TO VOCATIONAL EDUCATION:

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. WHEREAS, The deferred operation of this act would tend to defeat its purposes, which are to extend school reform to promote the highest level of career preparation in vocational-technical schools ready to provide this level of service to the Massachusetts economy, to provide this service to the Commonwealth at no increase in cost to the state budget and in a way that avoids duplication and expanded competition among vocational-technical high schools, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Section 7 of Chapter 74 of the General Laws, as appearing in the 1998 Official Edition, is hereby amended by adding the following: -

The commissioner shall not deny admission on the basis of free vocational training available where the

applicant resides unless there is available to the applicant in the place of residence or in the community's member regional vocational school district a department-approved program including the precise major which the applicant wishes to pursue or explore. If, however, an applicant admitted to a vocational program outside of the applicant's place of residence or member regional vocational school district transfers into a major which is available under a department-approved program in the applicant's place of residence or member regional vocational school district, then the applicant shall thereupon be eligible to be enrolled in such program in the applicant's place of residence or member regional vocational school district, and shall no longer be eligible for admission to the program outside of the applicant's place of residence or member regional vocational school district unless permission for such is granted by the community of residence.

A vocational-technical high school district may deny admission to any non-resident applicant if available slots in a specific program under this chapter or in a special education program are filled or anticipated to be filled by resident applicants.